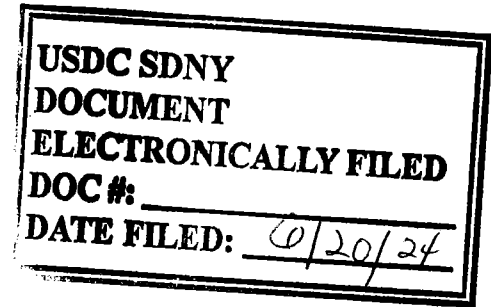


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Chambers of Vincent L. Briccetti

6/20/24
JH



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CERIOUS McCRAY,
Petitioner,

v.

ADRIAN H. ANDERSON,
Sheriff of Dutchess County Jail,
Respondent.
-----X

ORDER

20 CV 2247 (VB)

According to the New York Department of Corrections and Community Supervision Incarcerated Lookup webpage, petitioner has been released from custody with a maximum post release supervision expiration date of April 11, 2023.

Petitioner “bear[s] the burden of demonstrating some concrete and continuing injury” exists to create a case or controversy pursuant to Article III of the United States Constitution. United States v. Mercurris, 192 F.3d 290, 294 (2d Cir. 1999). “The Supreme Court has held that a habeas petition challenging a criminal conviction is not necessarily mooted when the petitioner is released from prison, as collateral consequences of that conviction may still impinge on the petitioner post-release.” Perez v. Greiner, 296 F.3d 123, 125 (2d Cir. 2002). However, when there is “no material possibility that [petitioner] will suffer collateral consequences of the challenged conviction,” the petition is moot. (*Id.* at 125–26).

Accordingly, by **July 22, 2024**, petitioner is directed to submit a supplemental brief addressing why his petition is not moot. By **August 21, 2024**, respondent shall file an opposition brief, if any.

The parties’ supplemental briefs **shall not exceed 15 pages**.

Chambers will mail a copy of this Order to petitioner at the address on the docket.

Dated: June 20, 2024
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge